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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/763,105	05/07/2001	Melih Abdulhayoglu	148/257	3496

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ADAM EVANS, P.A.
(formerly Adams, Schwartz & Evans, P.A.)
2180 TWO WACHOVIA CENTER
CHARLOTTE, NC 28282

EXAMINER

SHERKAT, AREZOO

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 07/28/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/763,105

Applicant(s)

ABDULHAYOGLU, MELIH

Examiner

Arezoo Sherkat

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>g</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 21-40 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 21-28, and 31-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Morisawa et al., (U.S. Patent No. 5,537,544 and Morisawa hereinafter).

Regarding claim 21, Morisawa discloses a data processing apparatus comprising a first input channel and a second input channel each for inputting signals, a security device for verifying a password, and means for determining whether the password input to the security device comes from the second input channel, in which the security device will verify a correct password from the first input channel, but not from the second input channel, in which the security device is configured to receive signals from the first input channel and configured not to receive signals from the second input channel (i.e., as it is shown in Fig. 10, the keyboard controller has a password registering function for registering the

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password input from the keyboard to the EEPROM according to a password control command from the CPU as an internal control program processing function)(Col. 24, lines 5-65).

Regarding claims 22, 34, and 35, Morisawa discloses a data processing apparatus according to claim 21, in which the device receives signals only from the first input channel (i.e., the keyboard controller has a password registering function for registering the password input from the keyboard to the EEPROM)(Col. 26, lines 64-67 and Col. 27, lines 1-61).

Regarding claims 23 and 36, Morisawa discloses a data processing apparatus according to claim 21, in which the device cannot receive signals from the second input channel (i.e., password check, 4D, does not get input signal from the CPU)(Col. 26, lines 64-67 and Col. 27, lines 1-61).

Regarding claims 24 and 32, Morisawa discloses a data processing apparatus according to claim 21, in which the apparatus further comprises means to determine whether the security device has verified the password and, if not, to vary operation of the apparatus (Col. 28, lines 3-58).

Regarding claims 25 and 37, Morisawa discloses a data processing apparatus according to claim 21, in which the first input channel comprises a first peripheral input device (i.e., keyboard)(Col. 11, lines 35-67).

Regarding claims 26-27 and 38-39, Morisawa discloses a data processing apparatus according to claim 25, in which the first peripheral input device comprises a keyboard and the security device is located to receive signals from the keyboard and transmit them to a keyboard controller or to a bus (Col. 24, lines 5-65).

Regarding claims 28, 33, and 40, Morisawa discloses a data processing apparatus according to claim 21, in which the apparatus further comprises a control unit (such as a CPU) which interrogates the security device to determine whether a correct password has been entered (i.e., CPU issues a power-on password check command)(Col. 26, lines 64-67 and Col. 27, lines 1-67 and Col. 28, lines 1-16).

Regarding claim 31, Morisawa discloses a method of verifying which of a first input channel and a second input channel is used in data processing apparatus, the method comprising the steps of upon input of a password to the apparatus, a security device receiving input from the first input channel not from the second input channel declining password authorization, if the input is through the second input channel, and if the correct password is input through the first input channel providing a password verification (i.e., as it is shown in Fig. 10, the keyboard controller has a password registering function for registering the password input from the keyboard to the EEPROM according to a password

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control command from the CPU as an internal control program processing function)(Col. 24, lines 5-65).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morisawa et al., (U.S. Patent No. 5,537,544 and Morisawa hereinafter), in view of Cyras et al., (U.S. Patent No. 5,889,866 and Cyras hereinafter).

Regarding claim 29, Morisawa does not expressly disclose a data processing apparatus according to claim 21, in which the device encrypts all signals it receives.

However, Cyras discloses in which the device encrypts all signals it receives (i.e., an encrypting device and logic for encrypting the entered password)(Col. 8, lines 52-67 and Col. 9, lines 1-42).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Morisawa with the teachings of Cyras because it would allow to include a the device encrypts

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all signals it receives with the motivation to provide for disabling access to data in the case when the entered encrypted password was not recognized (Cyras, Col. 4, lines 1-15).

Regarding claim 30, Morisawa does not expressly disclose a data processing apparatus according to claim 29, in which a decryption tool is provided between the output of the device and the application to which they key presses comprise instructions.

However, Cyras discloses in which a decryption tool is provided between the output of the device and the application to which they key presses comprise instructions (i.e., encryption logic)(Col. 8, lines 52-67 and Col. 9, lines 1-42).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Morisawa with the teachings of Cyras because it would allow to include a decryption tool is provided between the output of the device and the application to which they key presses comprise instructions with the motivation to provide for disabling access to data in the case when the entered encrypted password was not recognized (Cyras, Col. 4, lines 1-15).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kafri, (U.S. Patent No. 5,751,814),

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Tulpan, (U.S. Patent No. 5,406,624), and


Eldridge et al., (U.S. Patent No. 5,787,169).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (703) 305-8749. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Arezoo Sherkat
Patent Examiner
Group 2131
July 23, 2004


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100